

## PLAN AND ZONING COMMISSION

PZ\_AF\_04-22-2019

Chairperson Andersen called the regular meeting of the Plan and Zoning Commission to order at 5:30 p.m. on Monday, April 22, 2019, in the Council Chambers of the West Des Moines City Hall, located at 4200 Mills Civic Parkway, in West Des Moines.

Roll Call: Andersen, Costa, Crowley, Drake, Hatfield, Southworth.....Present  
Erickson..... Absent

### **Item 1 - Consent Agenda**

#### **Item 1a - Minutes of the meeting of April 8, 2019**

Chairperson Andersen asked for any comments or modifications to the April 8, 2019 minutes.

Commissioner Hatfield explained clarifications that he had regarding the minutes, specifically, Page 6, paragraph 3, which was referring to traffic concerns for 84<sup>th</sup> Street and 88<sup>th</sup> Street for the motion. He also noted the second to last paragraph regarding commercial use between 84<sup>th</sup> and 88<sup>th</sup> Streets south of Ashworth Road and that Commissioner Costa had seconded the motion, and in that case, the vote was not noted. He would prefer that staff not have to resort to typing verbatim minutes for this item but does recall voting unanimously for those motions.

Linda Schemmel, Development Coordinator, explained that staff had concerns with understanding the motions for that item. They will go back and listen to the tape for further clarification. She concluded that staff is moving forward with those motions.

Vote: Andersen, Costa, Crowley, Drake, Hatfield, Southworth.....Yes  
Erickson.....Absent  
Motion carried.

### **Item 2 – Public Hearings**

#### **Item 2a – Bridgewood Square PUD Amendment - Northwest corner of Jordan Creek Parkway and Bridgewood Boulevard – Amend Bridgewood PUD to modify wall sign regulations on Parcel M (aka Bridgewood Square) – Bridgewood Commercial, LLC – ZC-004275-2019**

Chairperson Andersen opened the public hearing and asked the Recording Secretary to state when the public notice was published. The Recording Secretary indicated that the notice was published in the Des Moines Register on April 16, 2019.

Chairperson Andersen asked for a motion to accept and make a part of the record all testimony and all other documents received at this public hearing.

Moved by Commissioner Costa, seconded by Commissioner Southworth, the Plan and Zoning Commission accepted and made a part of the record all testimony and all other documents received at this public hearing.

Vote: Andersen, Costa, Crowley, Drake, Hatfield, Southworth.....Yes  
Erickson.....Absent  
Motion carried.

## PLAN AND ZONING COMMISSION

Andy Hodges Signature Real Estate Services, 9500 University, Suite 2112, West Des Moines, briefly explained that the applicant is requesting an amendment to the Bridgewood PUD (Planned Unit Development) for wall signage on Parcels 1 and 3. Giordano's restaurant will be located on Lot 1 and Jimmy John's will be located in the building on Lot 3. The applicant's request is in compliance with the City's current sign code and due to the location of the proposed buildings and the entrances to the units facing away from Jordan Creek Parkway, additional wall signage is being requested.

Commissioner Hatfield inquired if the applicant concurred with all of staff's recommendations. Mr. Hodges replied affirmatively.

Brian Portz, Case Planner, added that the applicant's request is consistent with the City's current sign code.

Robert Goldhammer 7725 Wistful Vista Drive, Unit 1101, stated that he resides in the townhomes that will be in the line of sight with the back of the proposed buildings. He was aware that when he purchased the townhome that those buildings could be there. He stated he does not have concerns with lighting, traffic, etc., but more with the proposed signage facing to the west that would be in his line of sight. He was curious to know that if the proposed buildings would be facing Jordan Creek Parkway, would there be a need to locate signage on the backs of the buildings. He concluded that the ordinance language specifically prohibits wall signage facing toward residential.

Development Coordinator Schemmel responded that the proposal for wall signage would only affect those buildings along Jordan Creek Parkway and that signage would be located on the west side since the entrance to some of the units faces to the west. The entrances for this development sit far back from Jordan Creek Parkway and the applicant would like to have signage as you enter the development. She ended noting that a discussion may need to be held with the City's sign administrator for further clarification.

Robert Brown, 903 Tulip Tree Lane also noted concern with the appearance of the buildings and what type of screening would be required. It was determined that Mr. Brown was actually talking about a different project, Mills Landing, which will be discussed later.

Chairperson Andersen asked for any other questions or comments from the audience and upon hearing none, closed the public hearing and asked for continued discussion or motion.

Moved by Commissioner Costa, seconded by Commissioner Crowley, the Plan and Zoning Commission adopted a resolution recommending the City Council approve the amendment to the Bridgewood Square PUD.

Vote: Andersen, Costa, Crowley, Drake, Hatfield, Southworth.....Yes  
Erickson.....Absent  
Motion carried.

**Item 2b – West Grand Business Park PUD Amendment - MidAmerican Energy RecPlex,  
Southeast corner of S. Jordan Creek Parkway and Grand Avenue – Amend the West Grand  
Business Park PUD to allow for the development of an indoor and outdoor recreational facility  
within the PUD – W & G McKinney Farms, LC – ZC-004244-2019**

Chairperson Andersen opened the public hearing and asked the Recording Secretary to state when the public notice was published. The Recording Secretary indicated that the notice was published in the Des Moines Register on April 16, 2019.

Chairperson Andersen asked for a motion to accept and make a part of the record all testimony and all other documents received at this public hearing.

## PLAN AND ZONING COMMISSION

Moved by Commissioner Hatfield seconded by Commissioner Southworth, the Plan and Zoning Commission accepted and made a part of the record all testimony and all other documents received at this public hearing.

Vote: Andersen, Costa, Crowley, Drake, Hatfield, Southworth.....Yes  
Erickson.....Absent  
Motion carried.

Brian Portz, Case Planner, briefly highlighted the proposed project noting that the property is located at Jordan Creek Parkway and Grand Avenue. The RecPlex will be located on Parcel 10 of the PUD. The applicant's request is to amend the PUD that governs the site to allow a recreational facility. The specific development requirements proposed will be specific to Parcel 10 only. This parcel will be split from the other parcel (Parcel 5) and each parcel will have its own set of regulations.

Mike Sherzan, 675 Booneville Road, stated that he owns approximately 40 acres north of the proposed development and was curious to know what occurs with the action of this request if the parcel were not to be developed as a RecPlex.

Planner Portz answered that the proposed recreational facility is in site plan review process currently. If the parcel does not develop, the regulations would remain in place for the next developer as the regulations are specific to this parcel. The PUD would have to be amended again for a different type of development as this amendment is specific to the proposed RecPlex.

Chairperson Andersen asked for any other questions or comments from the audience and upon hearing none, closed the public hearing and asked for continued discussion or a motion.

Moved by Commissioner Hatfield, seconded by Commissioner Drake, the Plan and Zoning Commission adopted a resolution recommending the City Council approve the rezoning request to amend the West Grand Business Park PUD.

Vote: Andersen, Costa, Crowley, Drake, Hatfield, Southworth.....Yes  
Erickson.....Absent  
Motion carried.

### **Item 2c – Mills Landing, Southeast corner of South 60<sup>th</sup> Street and Mills Civic Parkway – Approve a Comprehensive Plan Land Use Amendment and approved the Mills Landing Area Development Plan – Shree Ram Development LLC - CPA-004167-2018/ACP-004166-2018**

Chairperson Andersen opened the public hearing and asked the Recording Secretary to state when the public notice was published. The Recording Secretary indicated that the notice was published in the Des Moines Register on April 16, 2019.

Chairperson Andersen asked for a motion to accept and make a part of the record all testimony and all other documents received at this public hearing.

Moved by Commissioner Drake seconded by Commissioner Southworth, the Plan and Zoning Commission accepted and made a part of the record all testimony and all other documents received at this public hearing.

Vote: Andersen, Costa, Crowley, Drake, Hatfield, Southworth.....Yes  
Erickson.....Absent  
Motion carried.

Doug Mandernach, Civil Design Advantage, 3405 SE Crossroads Drive, Suite G, Grimes, Iowa, briefly highlighted the project noting that it will be comprised of a mixed use area with retail and commercial uses.

## PLAN AND ZONING COMMISSION

The property has been divided into eight (8) lots. They have had several neighborhood meetings to discuss the proposed development. The development will be a mix of both 1-story and 2-story buildings. He concluded that the applicant is in agreement with staff's recommendations.

Kara Tragesser, Case Planner, stated that a pre-application submittal had been received previously and at this time the applicant would like to move forward with their proposed request. A Zone Change Specific Plan yet to be submitted would identify the specific uses, building types, architecture, access easements, and parking. Buildings no more than two (2) stories in height would be allowed to be constructed. A four-story tall hotel would be allowed as they would be located in the center of the development. A preliminary plat has been submitted to the city and is currently under review to divide the property into eight (8) lots, so that each building would have its own lot of record.

Robert Goldhammer, 7725 Wistful Vista Drive, Unit 1101, expressed his appreciation to the City for mailing out the public hearing notices as they were timely and very informative.

Robert Brown, 903 Tulip Tree Lane, raised concerned with screening, lighting, visibility, and signage and hopes that the Commission will consider those concerns when discussing the proposal.

Derwood Foster, 845 S. 60<sup>th</sup> Street, briefly stated concern with how the City will be handling traffic control as that street has become a speed zone.

Nick Krueger, 945 Tulip Tree Lane, commented that his property abuts to the proposed property and has questions regarding senior living versus a hotel and what type of hotel would be located there (i.e., Holiday Inn, Sheraton, etc.). He also noted concern with traffic coming off the interstate, how the perimeter of the property would be protected, and the valuation of the existing residences would be affected by this development. He was of the understanding that residential use would not be located on Parcel 8.

Larry Hulse, residing at 3825 Thornton Avenue in Des Moines, has property located at 811 Burr Oaks, Unit 901, indicated concern with the uses of the property and car lights from a drive-in bank during the evening hours and in the winter.

Cheryl Hughes, 845 S 60<sup>th</sup> Street, explained that the street located on the south side of the Unity Point medical building is very busy and quite frequently and thought that maybe traffic lights should be located there to control traffic better. She also noted concern with the use of the private drive versus S. 60<sup>th</sup> Street.

Chairperson Andersen asked for any additional questions or comments from the audience and upon hearing none, closed the public hearing and asked for continued discussion or a motion, and informed the Commission that there would be two votes.

Planner Tragesser responded that signage, lighting, and other amenities would be addressed with site plan. Dumpster enclosures will be required. Architectural renderings have not yet been provided to staff so it is not known at this time the materials that they are proposing to use. A 30 foot buffer will be required as screening for the drive-thru and will most likely be evergreen trees. Lighting for the property will be reviewed as well. A support commercial zoning district does allow for 2-story residential uses so there is potential that Buildings 6 and 8 could have residential above them. At this time the name of the hotel is not known. Detention areas have been noted on the map. She concluded that a traffic study is currently in the process to align the driveways and exits onto Mills Civic Parkway.

Chairperson Andersen clarified that another public hearing notice would be mailed for the specific plan, to which staff confirmed.

## PLAN AND ZONING COMMISSION

Moved by Commissioner Drake, seconded by Commissioner Southworth, the Plan and Zoning Commission adopted a resolution recommending the City Council approve the comprehensive plan land use map amendment.

Vote: Andersen, Costa, Crowley, Drake, Hatfield, Southworth.....Yes  
Erickson.....Absent  
Motion carried.

Moved by Commissioner Drake, seconded by Commissioner Southworth, the Plan and Zoning Commission adopted a resolution recommending the City Council approve the establishment of an area development plan.

Vote: Andersen, Costa, Crowley, Drake, Hatfield, Southworth.....Yes  
Erickson.....Absent  
Motion carried.

### **Item 3 – Old Business**

There were no Old Business items to address.

### **Item 4 – New Business**

#### **4a – Review of the Iowa Clinic Urban Renewal Area for Conformity with the General Plan (Comprehensive Plan)**

Chairperson Andersen asked the applicant to come forward, state their name and address, and provide a brief synopsis of their request.

Clyde Evans, Community & Economic Development, briefly stated that staff would like to establish the Iowa Clinic Urban Renewal Plan as the Iowa Clinic is located within the Westown V Urban Renewal Plan, which will expires in five (5) years. The agreement with Iowa Clinic is for 20 years and they have plans to add onto their facility and modify parking during that time frame. The City will be offering incentives.

Chairperson Andersen asked if anyone from the audience would like to speak to this item, and seeing none, asked for continued discussion or a motion.

Moved by Commissioner Crowley, seconded by Commissioner Southworth, the Plan and Zoning Commission was in agreement with the finding of conformity with the general plan.

Vote: Andersen, Costa, Crowley, Drake, Hatfield, Southworth.....Yes  
Erickson.....Absent  
Motion carried.

#### **Item 4b – Kum & Go 3035, 7265 Vista Drive – Approval of a Major Modification to a Site Plan to Construct a 5,600 sq. ft. Convenience Store – Kum & Go, LC – MaM-004212-2019**

Chairperson Andersen asked the applicant to come forward, state their name and address, and provide a brief synopsis of their request.

Keith Weggen, Civil Design Advantage, 3405 SE Crossroads Drive, Suite G, Grimes, Iowa, highlighted the proposed request indicating that Kum & Go would like to raze their existing building and construct a 5,600 sq. ft. convenience store with five (5) fuel pumps in its place. The proposed store will be placed in approximately the same location as the existing store and will include such amenities as indoor seating, masonry and column supports, parking on the north and south sides of the building. Detention will be provided underground north of the store and modifications are proposed for the canopy. Utilities already exist. They are proposing to remove the existing grease interceptor and replace it with a new one.

## PLAN AND ZONING COMMISSION

Planner Tragesser stated that she has no additional information to provide and that staff recommends approval of the proposed request.

Commissioner Drake asked if the applicant was in agreement with the staff recommendations and conditions, to which Mr. Mandernach replied affirmatively.

Chairperson Andersen asked if anyone from the audience would like to speak to this item, and seeing none, asked for continued discussion or a motion.

Moved by Commissioner Hatfield, seconded by Commissioner Southworth, the Plan and Zoning Commission recommended approval of the major modification to a site plan, subject to the following conditions:

1. A limit of two outdoor propane vending units will be allowed, along with appropriate screening be it a screen wall or landscaping. Applicant shall provide details on screening prior to obtaining any building permit.
2. That final details of the storm water management plan be submitted, prior to obtaining any building permit.
3. That the storm water facility maintenance easement and agreement be executed and return to the City, prior to obtaining any building permit.
4. Documentation regarding the requirement for a grease interceptor be submitted to the City, prior to any building permits.
5. That the details of the storm water pollution prevention plan be submitted, along with any required permits, to the City, prior to any building permits.
6. Off-site construction easements or a signature to the application be submitted to the City, prior to any building permits.
7. Roof top mechanical units will be screened from all public view angles, prior to any occupancy permit.
8. Final, signed site plan drawings being submitted to the City, prior to any occupancy permits.

Vote: Andersen, Costa, Crowley, Drake, Hatfield, Southworth.....Yes  
Erickson.....Absent  
Motion carried.

### **Item 5 – Staff Reports**

The Recording Secretary stated that the next Commission meeting is scheduled for Monday, May 13, 2019.

### **Item 6 - Adjournment**

Chairperson Erickson adjourned the meeting at 6:15 PM.

---

Erica Andersen, Chairperson

---

Michelle Riesenberg, Recording Secretary